

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: E1

HEARING TYPE:
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Resolution

MEETING DATE: November 1, 2016

SUBJECT: Declare vacancy in the office of the City Council

DEPARTMENT: City Council

PUBLIC HEARING: ☐ YES ☒ NO

ATTACHMENT: ☒ YES ☐ NO
Pages:

INFORMATION CONTACT: Mayor Ted Terry
PHONE NUMBER: 404-296-6489

PURPOSE:

To declare a vacancy in the office of the City Council.

NEED/ IMPACT:

Councilman Robert Hogan notified the Mayor and City Council of his intent to vacate his seat at the October 4, 2016 Council Meeting. The City Council voted at the October 4 Council meeting to table the vacancy resolution vote until November 1, to allow full council participation in the discussion and vote.

Clarkston City Charter Sec. 2.05 (a) states that, "Such vacancy shall be declared by the Mayor unless it shall be the office of the Mayor which is vacant, and in such case by the vice-mayor. Such declaration shall be made in a regular meeting of the City Council and shall be affirmed by a majority vote of the City Council."

Additionally the Clarkston City Charter Sec. 2.05 (c) states that, "If the vacancy occurs in the office of councilperson and if a regular municipal election will occur within twelve (12) months of the date of the declaration of such vacancy, then the city council may appoint a qualified person to fill such vacancy until the next regular city election. Upon declaration of a vacancy in the office of councilperson, if it shall be more than twelve (12) months to the next regular municipal election, a special election shall be held to fill the vacancy. If required, such special election shall be held not less than sixty (60) days and not more than one hundred eighty (180) days from the date that a vacancy in the office of councilperson is declared and in any event on a date provided for by O.C.G.A. § 21-2-540(c). If more than one (1) date provided for by O.C.G.A. § 21-2-540(c) meets the terms of this charter provision, then the city council shall select the date of the special election by resolution."

Given that the Council vacancy will occur on November 1, 2016, the next regular municipal election will occur more than twelve (12) months from the date of the declaration of the vacancy. Therefore a special election shall occur in order to fill the vacancy. Pursuant to state law (O.C.G.A. § 21-2-540(c)), the special election to fill the vacancy in the office of the Clarkston City Council shall occur on March 21, 2017. The successful candidate will fill the remainder of the unexpired term of office which concludes on December 31, 2017.

RECOMMENDATIONS:

No staff recommendation.